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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/551,242

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Mark Watson

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EXAMINER

CHAKOUR, ISSAM

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/551,242	<b>Applicant(s)</b> WATSON ET AL.	
	<b>Examiner</b> ISSAM CHAKOUR	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This office action is in response to pre-appeal brief request filed on 06/04/2009. Upon further consideration and examination, a new interpretation in view of the previous art reads on claims language which is considered a new ground of rejection under the same reference.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1, 5, 6, and 8 are rejected under 35 U.S.C. 102 (e) as being anticipated by Sinnarajah et al (US 2003/0114177).

3. Regarding claim 1, Sinnarajah discloses a method of providing a service to wireless stations through a telecommunication network (See figure 1), the service being identified by a unique service identifier (e.g. HSBS ID, see paragraph [0037], line 10) stored in the telecommunication network and in at least one subscriber station (See paragraph [0037], line 12) among said wireless stations (See figure 1, items 114) , the method comprising the steps of:

determining a paging identifier (e.g. IMSI, See paragraph [0060], lines 25-29) in the telecommunication network and at said subscriber station (See claim 13, lines 6-8), by applying a hash function to a data string including at least part of the unique service identifier (See [0065] lines 3-10, note that HSBS ID is embedded in a string of

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information in the HSBS channel subject to hashing and multiplexed in the broadcast channel, the paging channel is also subject to hash function);

associating said subscriber station with the determined paging identifier (See claim 13); and

prior to transmitting information pertaining to the service over a broadcast channel, transmitting a paging message (See paragraph [0059], lines 1-6) incorporating said paging identifier to the wireless stations (See claim 9).

4. Regarding claim 5, Sinnarajah teaches means for participating in the provision of services to wireless stations, wherein the means comprising:

means for storing unique service identifiers respectively identifying the services (e.g. RAM or EEPROM, see paragraph [0087]); means for determining a respective paging identifier associated with each of the services (e.g. IMSI, See paragraph [0060], lines 25-29), by applying a hash function to a data string including at least part of the unique identifier for said service (See [0065] lines 3-10 and [0060], lines 25-29); and means for transmitting a paging message incorporating the paging identifier associated with one of the services to the wireless stations, prior to transmitting information pertaining to said one of the services over a broadcast channel (See paragraph [0059], lines 1-6).

5. Regarding claim 6, Sinnarajah discloses the means as in claim 5, wherein the information pertaining to the service transmitted over the broadcast channel includes the unique service identifier (See paragraph [0037], line 10).

6. Regarding claim 8, Sinnarajah discloses a wireless station for communicating through a telecommunication network (Fig. 1), the wireless station comprising: means for storing (e.g. RAM or EEPROM, see paragraph [0087]) at least one unique service identifier (See paragraph [0037], line 10) identifying a respective service to which the station has a subscription (See claim 13); means for determining a paging identifier (e.g. IMSI, See paragraph [0060], lines 25-29), by applying a hash function to a data string including at least part of the unique service identifier (See [0065] lines 3-10 and [0060], lines 25-29); and means for receiving a paging message (See claim 25) incorporating said paging identifier and (See claim 9), in response thereto, switching to reception over a broadcast channel to receive information pertaining to the service as transmitted from the telecommunication network (See paragraph [0059], lines 1-6 and claim 13).

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
3. Claims 2, 4, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sinnarajah in view of Aune (US 2002/0010683).
4. Regarding claims 2 and 9 Sinnarajah discloses a method as claimed in claims 1 and claim 8 respectively, wherein the information pertaining to the service, transmitted over the broadcast channel (See abstract), includes the unique service identifier (See paragraph [0037], line 10), and wherein a wireless station associated with said paging identifier (e.g. IMSI, See paragraph [0060], lines 25-29) responds to the paging message by switching to the broadcast channel (See paragraph [0045], lines 10-11) and receiving the transmitted unique service identifier (See claim 25). Sinnarajah does not explicitly teach checking whether the received service identifier matches the service identifier stored in said wireless station. However, Aune does disclose checking whether the received service identifier matches the service identifier stored in said wireless station (See paragraph [0027], line 4-6). It would have been obvious to one of ordinary skill in the art to incorporate in Sinnarajah's invention the step of checking whether the detected service identifier matches the stored unique service identifier matches the stored unique identifier as taught by Aune because the wireless station has to authenticate the service identifier in order to receive the proper information about the channel to tune to for the service.

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5. Regarding claim 4, Sinnarajah discloses the method in accordance with claim 1. Sinnarajah does not explicitly teach the method wherein the unique identifier includes an address associated with the service and an indication of a scope within which said address is unique. However, Aune discloses a method wherein a unique identifier includes an address associated with the service and an indication of a scope (e.g. APN or IP) within which said address is unique (See paragraph [0005], see also paragraph [0038], lines 7-9). It would have been obvious to one of ordinary skill in the art at the time of invention to employ a unique address and indication such as APN as taught by Aune in the unique service identifier associated with a particular service as taught by Sinnarajah, because the service has to be distinguished in order to relate the particular requested service or IP address to the subscriber.

6. Claims 3, 7, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sinnarajah in view of Corriveau (US 5,918,177).

7. Regarding claims 3, 7, and 10, Sinnarajah teaches the limitations in accordance with claims 1,5 and 8 respectively. Sinnarajah fails to further teach the method wherein said data string further includes an indication of a type of the service. However, Corriveau, discloses a method in which the paging message or data string (See figure 3) includes an indication of a type of service (See column 2, lines 3-6). It would have been obvious to one of ordinary skill in the art to use the feature as taught by Corriveau in Sinnarajah's invention in order to distinguish among the type of service requested by the mobile station or forwarded to by the Mobile Switching Center. Moreover, because

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of the multitude of available services at the time of the invention claimed by the applicant, every type of service available to the cellular technology, such as voice, data, or fax is to be identified as such by a specific indication sequence of data.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISSAM CHAKOUR whose telephone number is (571) 270-5889. The examiner can normally be reached on Monday-Thursday (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Perez Rafael can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/  
Supervisory Patent Examiner, Art Unit 2617

/I. C./  
Examiner, Art Unit 2617